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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE   JAN 1 4 2004

| | |
|---|---|
| In re Patent Application of:<br>BARDWELL | ) |
| | ) |
| Serial No. 10/081,886 | )  Examiner: SEUNG LEE |
| | )  Art Unit: 2876 |
| Confirmation No:   9943 | ) |
| | ) |
| Filing Date: FEBRUARY 22, 2002 | ) |
| | ) |
| For: BIOMETRIC IDENTIFICATION SYSTEM | ) |
| USING BIOMETRIC IMAGES AND PERSONAL | ) |
| IDENTIFICATION NUMBER STORED ON A | ) |
| MAGNETIC STRIPE AND ASSOCIATED | ) |
| METHODS | ) |

OFFICIAL

### AMENDMENT

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

      Responsive to the Office Action of October 14, 2003,
please enter the amendments and consider the remarks set out
below.

**Amendments to the Claims** are reflected in the listing of
claims which begins on page **2** of this filing.

**Remarks** begin on page **9** of this filing.

# Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A.
## —— INTELLECTUAL PROPERTY ATTORNEYS ——

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## F A C S I M I L E    C O V E R    S H E E T

TO: __EXAMINER: SEUNG LEE (ART UNIT 2876)__

CLIENT NUMBER: 59730

TELEPHONE: 703-308-5894      FAX: 703-308-5841

FROM: __PAUL J. DITMYER, ESQ.__

DATE: __January 14, 2004__

NUMBER OF PAGES (INCLUDING COVER SHEET): __16__

COMMENTS/INSTRUCTIONS:

PLEASE SEE ATTACHED AMENDMENT RESPONSIVE TO OFFICE ACTION MAILED OCTOBER 14, 2003 FOR APPLICATION SERIAL NO. 10/081,886.

Case No. 59730

MS Non-Fee Amendm nt
Commissioner For Pat nts
P.O. Box 1450
Alexandria, VA 22313-1450

In re Application of:     **BARDWELL**

Serial No.:             **10/081,886**

Filed:                 **FEBRUARY 22, 2002**

For:                  **BIOMETRIC IDENTIFICATION SYSTEM USING BIOMETRIC IMAGES AND PERSONAL IDENTIFICATION NUMBER STORED ON A MAGNETIC STRIPE AND ASSOCIATED METHODS**

Sir:

Transmitted herewith is an amendment in the above-identified application.

[ ]       Applicant qualifies as a small entity under 37 CFR § 1.27.

[X]      No additional fee is required.

The fee has been calculated as shown below:

| FOR: | (Col. 1) CLAIMS REMAINING AFTER AMENDMENT | (Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR | (Col. 3) PRESENT EXTRA | | SMALL ENTITY RATE | FEE | | LARGE ENTITY RATE | FEE |
|---|---|---|---|---|---|---|---|---|---|
| TOTAL CLAIMS | 23 | 23 | 0 | | X 9 | $ | OR | X 18 | $ XX |
| INDEPT CLAIMS | 3 | 3 | 0 | | X 42 | $ | OR | X 86 | $ XX |
| [ ] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | | + 140 | $ | OR | + 280 | |
| | | | | | TOTAL ADD'L FEE | | | TOTAL ADD'L FEE | $ 0 |

\*        If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
\*\*      If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
\*\*\*    If the "Highest Number Previously Paid For: IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1
of a prior amendment of the number of claims originally filed.

[X]      The Commissioner is hereby authorized to charge or credit any discrepancies in fee amounts to Deposit Account No. 01-0484.

[X]      <u>PLEASE ADDRESS ALL CORRESPONDENCE TO ATTORNEY OF RECORD</u>: CHRISTOPHER F. REGAN

[X]      Please associate this application with Customer No. 27975.

27975
PATENT TRADEMARK OFFICE

<u>January 14, 2004</u>
DATE

PAUL J. DITMYER
REG. NO. 40,455